

AFFIDAVIT OF WILLIAM FRANKS

I, WILLIAM FRANKS, hereby state under the pains and penalties of perjury that I have personal knowledge of the following:

1. I joined the Church of Scientology in 1968 and between 1970 and 1979 at various times, I have worked directly and personally with L. Ron Hubbard. In December 1979, I was appointed by Hubbard to be "Senior Management Executive International." In this position, I was in charge of all of the administrative bureaus of the Church of Scientology throughout the world, and worked on a regular basis with all of the highest ranking officials of the Church of Scientology, including Mary Sue Hubbard, David Miscavige, John Nelson, Herbert Parkhouse, and many others.

2. In December 1980, I was appointed by L. Ron Hubbard to be "Executive Director International" of all Churches of Scientology throughout the world. I saw an order written by L. Ron Hubbard himself appointing me to this position. The last Executive Director International was L. Ron Hubbard himself, who allegedly resigned from that position in 1966. Therefore, by virtue of this appointment, which was a lifetime appointment, I was senior to every Scientology executive throughout the world. Theoretically, since I held the post of Executive Director International, no person, even L. Ron Hubbard, could countermand

my orders. However, as I learned shortly after my appointment, this was not how Hubbard intended me to operate.

3. Within a period of weeks following my appointment, I learned that I was required to sign and file a written resignation as Executive Director International which was undated and which could be used at any time to remove me by Hubbard. This was in keeping with the policy of Hubbard that every Church of Scientology corporation officer or director must resign in advance of their appointment and sign undated letters of resignation so that they could be removed by Hubbard at will.

4. Additionally, I learned that I was to receive all of my orders and directives through David Miscavige, who held the position of being the direct liaison to L. Ron Hubbard, who at that time, was in hiding. As the administrative head of the Church, I actually would receive my orders from Hubbard via Miscavige and implement the orders.

5. Throughout the period of time that I served as Executive Director International, I observed the highest leaders of the Church use documents and activities relating to illegal, criminal, and tortious conduct against many individuals who have been designated enemies of the Church. These individuals include Attorney Michael J. Flynn and many of his clients. At this time, Michael Flynn was one of the three top enemies of Scientology.

6. In 1980 and 1981, I have personal knowledge of many orders issued by L. Ron Hubbard concerning attacks against Michael Flynn. Hubbard considered Flynn to be a "whore" and Hubbard ordered him to be totally ruined. We were ordered to do a complete investigation of Flynn, find or "manufacture" crimes he had committed, expose his "crimes" to his clients and to law enforcement officials, ruin his law practice, have him disbarred and file numerous law suits or bar complaints against him without regard to whether the complaints were meritorious or not. L. Ron Hubbard personally ordered all these activities and I saw many of the orders.

7. In 1980, L. Ron Hubbard personally ordered Michael Flynn's trash to be picked up and gone through on a daily basis. This was part of a huge investigation of Flynn which Hubbard had ordered. According to Hubbard, and Scientology policy, any individual who attacked Scientology must be a criminal. Therefore, Hubbard ordered us to do as thorough an investigation of Flynn as possible, to uncover Flynn's crimes. We were ordered to go all the way back to his days in law school.

8. When Hubbard ordered someone's crimes to be found, his agents would "manufacture" crimes, if actual crimes could not be found or did not exist. In fact, Hubbard's policy on this issue specifically stated as follows:

"In the face of danger from Govts or courts are only two errors one can make: (a) do not and (b) defend. The right things to do with threat are to (1) Find out if we want to play offered game or not, (2) If not, to derail t offered game with a feint or attack upon the vulnerable point which can be disclosed in t enemy ranks, (3) Make enough threat or clamor cause the enemy to quail, (4) Don't try to g money out of it, (5) Make every attack by us sell Scientology and (6) Win. If attacked o vulnerable point by anyone or anything or an organization, always find or manufacture ene threat against them to cause them to sue fo peace. Peace is bought with an exchange c advantage, so make the advantage and then Don't ever defend. Always attack. Don't nothing. Unexpected attacks in the rear enemey's front ranks work best."

Consequently, Hubbard's agents routinely manufactur and created incidents so that we would have "proof" crimes our enemy had committed. A copy of the po: attached hereto.

9. Once we had found Flynn's "crimes," we were ordered to expose them. Consequently, the Guardian's Office agents contacted Flynn's clients, Scientology and non-Scientology, with the intent of separating Flynn from his clients in order to destroy his law practice. Those were Hubbard's orders.

10. It was the policy of Hubbard and the Church of Scientology throughout this time, to use the law to "attack" and "harass" its enemies by bringing frivolous lawsuits against them. Hubbard himself ordered lawsuits to be brought against Flynn and his clients. These lawsuits were brought without any concern as to whether they were meritorious or not, the whole purpose was to "bury" Flynn in these suits. The filing of these suits was to be very highly publicized by our public relations people so that Flynn's reputation in the community would be further harmed.

11. Pursuant to Church policy, because Hubbard had ordered certain policies and operations to be taken against Flynn, he would be informed of all actions taken pursuant to his operations. Therefore, he was regularly briefed about attempts to find Flynn's crimes, to expose Flynn as a criminal, to have Flynn disbarred, the lawsuits against him, and other operations. Hubbard would have also been informed of the numerous attempts made by the Guardian's Office to plant spies in Flynn's office. These actions would have been taken pursuant to Hubbard's orders to investigate Flynn as fully as possible.

12. In 1981, we obtained from the trash, a copy of a draft prospectus for a corporation named Flynn Associates Management Corporation (FAMCO). This prospectus made it look like Flynn was attempting to finance the Scientology litigation by selling shares in the litigation. From the trash documents and other investigations of Flynn's finances, we already thought that he would not have enough money to finance the litigation. In fact, Hubbard ordered us to find out who was paying Flynn. This prospectus seemed to provide the answer, and it was sent to Hubbard. In fact, we later received information that shares in FAMCO were never sold or even offered.

13. After seeing the FAMCO prospectus, Hubbard issued an order stating that this proved that Flynn was sydicating litigation. We were ordered to have him disbarred on the basis of the FAMCO documents. FAMCO was viewed as the best method of ruining Flynn's reputation in the legal community because he had engaged in unethical conduct. Hubbard further ordered that Flynn's clients be contacted and informed about FAMCO and that Flynn would be shortly disbarred and sent to jail. An attorney in Boston, Harvey Silverglate, was specially hired to make sure that Flynn was disbarred. He was instructed to file bar complaints and make sure that Flynn was unable to practice law. At that same time, we were filing bar complaints and trying to ruin Flynn's reputation, we had received information that FAMCO shares had never been sold and nothing was ever done with this corporation. In other words, we knew

our allegations about Flynn and his involvement with FAMCO were false. Nonetheless, pursuant to Hubbard's instructions to ruin Flynn, we still made the allegations and attempted to have Flynn disbarred.

14. After Hubbard ordered me to fire his wife, Mary Sue Hubbard as controller, I no longer saw copies of Hubbard's orders to the Guardian's Office. These went directly to Norman Starkey and Terry Gamboa. Nonetheless, Starkey and Gamboa frequently referred to orders they received from Hubbard including his instructions on how to follow up on the disbarment proceedings. Again, pursuant to Scientology policy, because Hubbard had ordered certain actions to be taken, he would have been briefed and informed about all actions taken pursuant to his instructions.

15. In November 1981, I came into increasing conflict with David Miscavige, the man who relayed Hubbard's orders to me and everyone else in Scientology. The reason for this conflict was because I attempted to block many of the criminal and illegal operations implemented by Miscavige and the Guardian's Office on behalf of Hubbard. In December 1981, I was removed from my position, and then held against my will and locked up in Gilman Hot Springs, California for a period of weeks.

16. While I was Executive Director of the Church of Scientology, we continually attempted to shield L. Ron Hubbard from any legal liability as a result of Church of Scientology activities. To do this, we continually lied in sworn affidavits and depositions about our contacts with L. Ron Hubbard, his control of the Church of Scientology, and our knowledge of his whereabouts. These perjurious statements were intentionally and willfully made, with the knowledge of Hubbard himself. In fact, he ordered many of the statements to be made. The principal responsibility of attempting to shield Hubbard from legal liability was handled by Norman Starkey and Terry Gamboa. I had numerous discussions with Starkey and Gamboa about shielding Hubbard from legal liabilities, despite his total management control over all phases of the Church of Scientology operations.

Signed under the pains and penalties of perjury
this 30 day of April, 1985 in Boston,
Massachusetts.

William Franks
WILLIAM FRANKS